

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

OSCAR RAMOS,

Plaintiff,

v.

ANGELICA BARRON,
Defendants.

Case No. 2:24-cv-0531-DJC-JDP

ORDER

This matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(19) and 28 U.S.C. § 636(b)(1). Plaintiff's motion for entry of default judgment was heard before the assigned Magistrate Judge on August 29, 2024.

On January 28, 2025, the Magistrate Judge filed findings and recommendations herein which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the

1 district court and [the appellate] court"). Having reviewed the file, the Court finds
2 the findings and recommendations to be supported by the record and by the proper
3 analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations filed January 28, 2025, are adopted in
6 full;
- 7 2. Plaintiff's motion for default judgment, ECF No. 11, is GRANTED;
- 8 3. Default judgment is entered against defendant Angelica Barron on Plaintiff's
9 ADA and Unruh Act claims;
- 10 4. Plaintiff is awarded statutory damages under the Unruh Act in the amount of
11 \$4,000;
- 12 5. Plaintiff is granted an injunction requiring Defendant to provide an
13 accessible bathroom, dining room, and parking space with proper signage;
- 14 6. Plaintiff is awarded attorneys' fees and costs in the amount of \$3,945.50; and
- 15 7. Plaintiff is directed to notify the court of whether he intends to dismiss his
16 claims under the California Health and Safety Code and California's Civil Rights Act
17 within seven days of this order.
- 18 8. This matter is referred back to the assigned Magistrate Judge for all further
19 pretrial proceedings.

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21 IT IS SO ORDERED.

22 Dated: March 21, 2025


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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